

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

JOE CAMERIERI  
Plaintiff,  
v.  
EXPRESS INDUSTRIES CORPORATION  
PROFIT SHARING PLAN  
Defendant.  
§§§§§§§§§§§§  
CIVIL ACTION NO: 3:09-cv-00280

**DEFENDANT'S AMENDED REQUEST FOR ATTORNEYS' FEES**

TO THE HONORABLE JUDGE KENNETH HOYT:

COMES NOW, Express Industries Corporation Profit Sharing Plan (“Defendant” or “the Plan”), and files the attached, Exhibit A, Affidavit of reasonable and necessary attorneys’ fees pursuant to 29 U.S.C. §1332(g) and the Court’s Memorandum and Order on Defendant’s Motion for Summary Judgment dated September 16, 2010. Therefore, Defendant respectfully requests this Honorable Court grant Defendant’s Request for Attorneys’ Fees and grant Defendant reasonable and necessary attorneys’ fees in the amount of \$29,602.55 and appellate fees as provided for in Exhibit A, and for such other and further relief, special or general, at law or in equity, to which it may show itself justly entitled to receive.

Respectfully submitted,

**MARTIN, DISIERE, JEFFERSON & WISDOM, L.L.P.**

By: W.W.W.  
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**ATTORNEY IN CHARGE FOR DEFENDANT,  
EXPRESS INDUSTRIES CORPORATION  
PROFIT SHARING PLAN**

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing instrument has been served by electronic mail via CM/ECF on this the 5th day of October, 2010, to counsel of record in this matter, specifically:

Mr. Blair B. Brininger  
BRININGER LTD.  
1400 Broadfield, Suite 200  
Houston, Texas 77084

*W. Jackson Wisdom*

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W. Jackson Wisdom